



WEB COPY



W.P. No.30372 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.10.2024

CORAM:

THE HON'BLE MS. JUSTICE R.N. MANJULA

W.P. No.30372 of 2024

A. Adhiyaman Neduman Anchi

Petitioner

vs.

1. The Secretary to Government
Labour Department
Fort St. George
Chennai 600 009

2 The Management
KK 162, N.S. Reddiyur Primary Agricultural
Cooperative Credit Society Ltd.
represented by its Administrator
N.S. Reddiyur Village & Post
Dharmapuri Taluk & District – 636 804

Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus directing the first respondent to consider the petitioner's representation dated 05.09.2024 to publish the award dated 29.09.2022 made in I.D. No.20 of 2017 in CNR No.TNSA020000592017 passed by the Labour Court, Salem, in gazette notification within a stipulated time.

For petitioner

Mr. T. Sundaravadanam

For respondents

Mrs. M. Jayanthi

Addl. Govt. Pleader



ORDER

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This writ petition has been filed seeking a writ of mandamus directing the first respondent to consider the petitioner's representation dated 05.09.2024 to publish the award dated 29.09.2022 in I.D. No.20 of 2017 passed by the Labour Court, Salem, in gazette notification within a stipulated time.

2. The learned counsel for the petitioner submitted that the petitioner's representation has been rejected stating that the petitioner has to approach the Assistant Commissioner of Labour. He further submitted that the Assistant Commissioner of Labour has already affixed the award in the notice board and that the first respondent is under an obligation to issue gazette notification, but, the same has not been done.

3. When the petitioner's representation has been considered and an order of rejection has been passed, the rightful course open to him is only to challenge the said rejection order. Viewing from any angle, the relief sought in this writ petition has become infructuous. It is further learnt that the petitioner has also initiated contempt proceedings against the second respondent for having not implemented the directions issued in the award. In fact, in the said contempt proceedings, orders have been reserved and the next hearing date is



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fixed on 30.10.2024. When such is the factual position, in the opinion of this Court, the petitioner could have very well waited till 30.10.2024 to know the outcome of the contempt proceedings, or, in the alternative, challenged the order of rejection passed on his representation.

4. In view of the aforemade discussion, the relief sought in this writ petition has become infructuous and hence, no further orders need to be passed. However, it is open to the petitioner to challenge the order rejecting his representation, if so advised.

This writ petition stands disposed of with the above observation. No costs.

17.10.2024

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R.N.MANJULA, J.

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